

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



February 18, 2005

ALL COUNTY INFORMATION NOTICE NO. I-09-05

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHILD CARE COORDINATORS
ALL WELFARE-TO-WORK COORDINATORS
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS

SUBJECT: CHILD CARE PROGRAMS FOR AT-RISK AND CHILD PROTECTIVE
SERVICES FAMILIES

REFERENCE: SENATE BILL 1104, CHAPTER 229, STATUTES OF 2004;
EDUCATION CODE SECTION 8263 (b) AND (f); MANAGEMENT
BULLETIN 04-12, CALIFORNIA DEPARTMENT OF EDUCATION,
CHILD DEVELOPMENT DIVISION

PURPOSE

The purpose of this notice is to provide information regarding changes affecting subsidized child care services for children who are receiving child protective services (CPS) and children who are at-risk of abuse, neglect, or exploitation. These changes have occurred as a result of the passage of Senate Bill (SB) 1104, Chapter 229, Statutes of 2004, which amended section 8263 of the Education Code and became effective on August 16, 2004.

Most of the families affected by this legislative change receive general child care services administered by the California Department of Education. The changes identified in this information notice will not affect California Work Opportunity and Responsibility for Kids Child Care Programs.

BACKGROUND

Children who are recipients of child protective services or who are identified as being at-risk of abuse, neglect, or exploitation based on a referral from a qualified professional in a legal, medical, or social services agency, or an emergency shelter receive first priority for subsidized child care services. Prior to SB 1104, families receiving subsidized child care based on this criteria were exempt indefinitely from income eligibility requirements

REASON FOR THIS TRANSMITTAL

- ☒ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

and family fees. Subsequent to the passage of SB 1104, at-risk and CPS families will continue to receive first priority for child care; however, SB 1104 places new time limits on eligibility and family fee exemptions.

At-Risk Families

Prior to SB 1104, a family who was receiving subsidized child care services on the basis of a child being at-risk of abuse, neglect, or exploitation was eligible to receive subsidized child care services for up to six months. Before the end of the six-month period, a new referral could be obtained and child care services could continue.

As a result of SB 1104, a family who is receiving child care on the basis of a child being at-risk is now limited to receiving up to three months of subsidized child care. A qualified professional from a legal, medical, or social service agency, or an emergency shelter will no longer be able to issue a new referral to extend the provision of child care services beyond three months. However, child care services will continue to be provided if a county child welfare agency certifies that the child is receiving child protective services and the family requires care or if the family is otherwise eligible.

CPS Families

SB 1104 states that a family may receive child care services for up to 12 months if a county child welfare agency certifies that the child is receiving child protective services and the family requires care for the child. The 12-month time limit can be extended if the county child welfare agency issues another referral authorizing child care services.

The certification process that county welfare agencies currently have in place may continue to be used while the child is receiving child protective services and the family needs child care services.

If the child is no longer receiving child protective services and if the family is otherwise eligible, the family may continue to receive child care services and will be required to pay a family fee, when applicable.

Family Fees

SB 1104 states that all families will be subject to paying a fee with the following exemptions:

- At-risk families may be exempt from paying fees for the first three months of service, and
- CPS families may be exempt from paying a fee for 12 months.

The combined time period for the fee exemption cannot exceed 12 months.

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If you have any questions concerning this information notice, please contact LouAnn Barr of the California Department of Social Services, Child Care Programs Bureau at (916) 657-2144.

Sincerely,

*Original Document Signed by
Venus Garth on 2/18/2005*

VENUS GARTH, Chief
Child Care and Refugee Programs Branch
Welfare to Work Division

c: CWDA
CSAC